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8 Lead Intelligence, Inc. d/b/a Jornaya

9
10 UNITED STATES DISTRICT COURT

11 NORTHERN DISTRICT OF CALIFORNIA

12
13 LORETTA WILLIAMS, individually and on
behalf of all others similarly situated,

14 Plaintiff,

15 v.

16 DDR MEDIA, LLC, a Pennsylvania limited
17 liability company, d/b/a Royal Marketing Group,
and LEAD INTELLIGENCE, INC., a Delaware
18 corporation, d/b/a Jornaya,

19 Defendants.

Case No. 3:22-cv-03789-SI

**DEFENDANT JORNAYA'S INITIAL
DISCLOSURES (FED. R. CIV. P. 26(a))**

Pursuant to Rule 26(a)(1)(A) of the Federal Rules of Civil Procedure, Defendant Lead Intelligence, Inc., d/b/a Jornaya (“Jornaya”) hereby provides its initial disclosures in the above-captioned matter. These initial disclosures are made without the Court having ruled on Jornaya’s motion to dismiss the First Amended Complaint filed on April 13, 2023. Jornaya has not yet completed its investigation of the facts underlying the claims, if any, that may survive that motion. Jornaya makes these disclosures based on its current understanding of the issues and on information reasonably available at the time of service. Jornaya reserves the right to amend, supplement, or modify these disclosures. By making these disclosures, Jornaya does not represent that it has identified every witness, document, electronically stored information, or tangible thing that it may use to support its defenses.

(i) The name and, if known, the address and telephone number of each individual likely to have discoverable information—along with the subjects of that information—that the disclosing party may use to support its claims or defenses, unless the use would be solely for impeachment.

Jornaya believes that the following individuals are likely to have discoverable information that Jornaya may use to support its defenses on any claims that survive Jornaya’s pending motion to dismiss:

- Rob Rokoff, Vice President of Corporate Development, Jornaya, to be contacted through counsel for Jornaya, regarding the design and operation of the TCPA Guardian software.
- Manny Wald, Senior Data Architect, Jornaya, to be contacted through counsel for Jornaya, regarding the design and operation of the TCPA Guardian software.
- Whitney Bradley, DDR Media, contact information unknown, regarding DDR’s implementation and use of TCPA Guardian on www.snappyrent2own.com and disclosures regarding the use of TCPA Guardian.
- Brendan Wright, contact information unknown, regarding DDR Media’s implementation and use of TCPA Guardian on www.snappyrent2own.com and disclosures regarding the use of TCPA Guardian.

• Loretta Williams, contact information unknown, regarding her claims in the First Amended Complaint.

To the extent a class is certified in this action, Jornaya believes that members of that class will have information regarding their own experiences and purported harms.

(ii) A copy—or a description by category and location—of all documents, electronically stored information, and tangible things that the disclosing party has in its possession, custody, or control and may use to support its claims or defenses, unless the use would be solely for impeachment.

Based on the information reasonably available at this time, Jornaya has identified the following categories of documents in electronic records and files maintained by Jornaya and/or Jornaya affiliate that may be used in support of its defenses:

- Documents regarding the design and operation of TCPA Guardian
- Documents regarding DDR Media LLC's use of TCPA Guardian

(iii) A computation of each category of damages claimed by the disclosing party—who must also make available for inspection and copying as under Rule 34 the documents or other evidentiary material, unless privileged or protected from disclosure, on which each computation is based, including materials bearing on the nature and extent of injuries suffered.

Jornaya does not claim any damages, but reserve its right to seek costs and attorneys' fees incurred in defending this action.

(iv) For inspection and copying as under Rule 34, any insurance agreement under which an insurance business may be liable to satisfy all or part of a possible judgment in the action or to indemnify or reimburse for payments made to satisfy the judgment.

Jornaya identifies AXA XL Policy No. ELU181701-22. Jornaya will provide for inspection and copying of relevant insurance information following entry by the Court of a Stipulated Protective Order.

DATED: April 14, 2023

ORRICK, HERRINGTON & SUTCLIFFE LLP

By: /s/ Aravind Swaminathan
 ARAVIND SWAMINATHAN
 Attorneys for Defendant LEAD
 INTELLIGENCE, INC. D/B/A JORNAYA